



July 19, 2017 (Revised)

Mr. Matthew Westbrook  
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(Sent via electronic mail to:  
[matthew.westbrook@e-arc.com](mailto:matthew.westbrook@e-arc.com))

Mr. Jeffery Grimes  
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(Sent via electronic mail to:  
[jeffery.grimes@earc.com](mailto:jeffery.grimes@earc.com))

Subject: Work Plan Modifications Approval; Fuel Leak Case No. RO0000151 and GeoTracker Global ID T0600100196, City Blue Print, 1700 Jefferson St., Oakland, CA 94612

Dear Messrs. Payne and Westbrook:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Response to Conditional Work Plan Approval*, dated July 18, 2017. The response was prepared and submitted on your behalf by Applied Water Resources Corporation (AWR). ACDEH has also reviewed the July 11, 2017 *Memorandum* by Terraphase Engineering, Inc. addressed to ACDEH and AWR, and the July 18, 2017 *Memorandum* by AWR addressed to Terraphase and ACDEH. These documents are related to discussions and decisions related to obtaining and coordinating access, and appropriate sample placement and sampling protocols, at 581 18<sup>th</sup> Street, Oakland, for the purpose of collecting sub-slab, soil vapor, and groundwater samples, and potentially indoor air samples.

The technical comments below are intended to clarify ACDEH's position with respect to modifications in the previously approved scope of work (see directive letter dated July 7, 2017) requested by Terraphase on behalf of the property owner of 581 18<sup>th</sup> Street.

Based on ACEH staff review of the work plan, and these documents, the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Once field work is approved, please provide 72-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) prior to the start of field activities.

## **TECHNICAL COMMENTS**

- 1. Proposed Relocation of Sub-Slab Vapor Samples** – Terraphase, on behalf of the adjacent property owners, has requested the relocation of sub-slab and soil vapor sample locations in the basement level of the adjacent apartment building, to areas outside of the three residential units on the basement level. The revised locations, shown on the figure attached to the July 18, 2017 Memorandum from AES, are co-located with approximately five foot deep soil vapor wells. The locations appear to be a reasonable method to obtain widely spaced soil or sub-slab vapor data for the basement floor level, and are expected to provide insight to the environment beneath the basement as a whole. However, because the common areas are reported to be more open to the atmosphere, indoor air samples collected at these locations would fail to address the risk of vapor intrusion to the residential units, which are reported to not be open to the atmosphere. Dependent on the vapor sampling results, a next step may require the installation of sub-slab vapor points in the residential units in conjunction with the concurrent sampling of indoor air.

2. **Depth of Soil Vapor Wells** – ACDEH requests the soil vapor wells be installed at an approximate depth of 5 to 5.5 feet below the bottom of the concrete basement slab, which is reported to be at least 10 inches thick. Although columns for the building are reported to extend an unknown distance deeper than the concrete slab, the 5 to 5.5 foot depth is generally consistent with a Low-Threat Closure Policy (LTCP) vapor evaluation. A secondary goal has been to install the vapor wells in a slightly deeper sandier zone, rather than the overlying silty zone. Although ACDEH can accommodate some limited flexibility, in order for the soil vapor to be compared to the LTCP the wells should be set at the requested depth.
3. **Groundwater Wells Versus Grab Groundwater Samples** – In an effort to accommodate the owners of the adjacent property, grab groundwater samples can be utilized to attempt to provide an initial definition of the extent of impacted groundwater beneath the site. ACDEH recognizes the data is likely to be biased high, and that groundwater wells may be required in appropriate accessible areas to ensure an appropriate level of remediation.
4. **Sub-Slab Vapor Laboratory Turn Around Time** – In an effort to accommodate tenant communication efforts and tenant concerns it is reasonable to request the sub-slab vapor samples be run on a quick 24-hour turnaround time. This request is to be re-evaluated for future sub-slab vapor sampling, if required.
5. **Indoor Air Vapor Sampling HVAC on / HVAC off** – Thank you for the initial understanding of the ventilation functionality at the adjacent apartment building. As data collection proceeds, please continue to build upon the initial findings, floor by floor if appropriate, including how the building is heated or ventilated during cool-season heating, location of stairs, and etc.
6. **Interim Remedial Action Plan** – At this time, an Interim Remedial Action Plan (IRAP), rather than a Corrective Action Plan (CAP), appears warranted. Please submit the IRAP by the date identified below.  

The IRAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The IRAP should also include, but is not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the LTCP, and as necessary the San Francisco Regional Water Quality Control Board (RWQCB) Environmental Screening Levels (ESLs), the San Francisco Bay Basin Plan, or a site specific risk assessment for all COCs. Please note that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater, soil, and soil vapor in accordance with the LTCP, ESLs, or site specific target levels. Please specify appropriate cleanup levels and cleanup goals in the IRAP. If pilot tests are required to determine radius of influence (ROI) or other site specific parameters, please include a work plan to conduct the pilot tests or collect other necessary data.
7. **Groundwater Monitoring** – Please monitor and sample all wells on a quarterly basis for one year in order to determine contaminant trends at the site relative to the recently installed wells MW-7 to MW-10. An Interface Probe must be used each quarter, if one has not been utilized at the site. Please submit reports by the dates identified below.

#### **SUBMITTAL ACKNOWLEDGEMENT STATEMENT**

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

*I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's Geotracker Website.*

Please make this change to your submittals to ACDEH.

### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **September 15, 2017** – Soil, Groundwater, and Soil Vapor Investigation, and IRAP  
(File to be named RO151\_SWI\_IRAP\_R\_yyyy-mm-dd)
- **September 15, 2017** – Third Quarter 2017 Groundwater Monitoring Report (can be combined with above report); (File to be named RO151\_GWM\_R\_yyyy-mm-dd)
- **January 12, 2018** – Fourth Quarter 2017 Groundwater Monitoring Report  
(File to be named RO151\_GWM\_R\_yyyy-mm-dd)
- **April 13, 2018** – First Quarter 2018 Groundwater Monitoring Report  
(File to be named RO151\_GWM\_R\_yyyy-mm-dd)

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification, ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,



Mark E. Detterman, P.G., C.E.G.  
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 - Responsible Party(ies) Legal Requirements/Obligations & ACDEH Electronic Report Upload (ftp) Instructions

cc: Steven Michelson, Applied Water Resources Corporation, 1600 Riviera Avenue, Suite 310, Walnut Creek, CA 94596; (Sent via electronic mail to: [smichelson@awrcorp.net](mailto:smichelson@awrcorp.net))

Yola Bayram, Applied Water Resources Corporation, 1600 Riviera Avenue, Suite 310, Walnut Creek, CA 94596; (Sent via electronic mail to: [ybayram@awrcorp.net](mailto:ybayram@awrcorp.net))

Lance Lo, Jefferson Court Commercial Ventures, LLC, 1728 Ocean Avenue #128, San Francisco, CA 94112; (Sent via electronic mail to: [lltgcg@aol.com](mailto:lltgcg@aol.com))

Andy Lojo, Terraphase Engineering, Inc, 1404 Franklin Street, Suite 600, Oakland, CA 94612; (Sent via electronic mail to: [andrew.lojo@terraphase.com](mailto:andrew.lojo@terraphase.com))

Jeffrey S. Lawson, Silicon Valley Law Group, One North Market Street, Suite 200, San Jose, CA 95113;  
(Sent via electronic mail to: [jsl@svlg.com](mailto:jsl@svlg.com))

Dilan Roe, ACDEH; (Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Paresh Khatri, ACDEH; (Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))

Mark Detterman, ACDEH; (Sent via electronic mail to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))

Electronic File; GeoTracker

## Attachment 1

### Responsible Party(ies) Legal Requirements / Obligations

#### REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program File Transfer Protocol (FTP) site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to SCP sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)) for more information on these requirements.

#### ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately licensed or certified professional. For your submittal to be considered a valid technical report, you are to present site-specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 1, 2016
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

## REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#\_Report Name\_Year-Month-Date (e.g., RO#5555\_WorkPlan\_2005-06-14)

## Submission Instructions

- 1) Obtain User Name and Password
  - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
    - i) Send an e-mail to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org).
  - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
  - a) Open File Explorer using the Windows  key + E keyboard shortcut.
    - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) On the address bar, type in ftp://alcoftp1.acgov.org.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
  - d) Click Log On.
  - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - f) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
  - a) Send email to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org) notify us that you have placed a report on our ftp site.
  - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
  - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
  - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.